IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

NEW YORK LIFE INSURANCE AND	§
ANNUITY CORPORATION,	§
	§
Plaintiff,	§
	§
VS.	§ CIVIL ACTION NO. 4:21-CV-490-O
	§
BARBARA BROWN FAMILY TRUST	§
DTD 3/12/2010; BARBARA JEAN	§
BROWN LIVING TRUST DTD	§
3/12/2010; SHARON KAY BRITTON	§
AND KEN BRITTON, AS CO-	§
TRUSTEES OF THE BARBARA JEAN	§
BROWN FAMILY TRUST DTD	§
3/12/2010; BARBARA JEAN BROWN	§
LIVING TRUST DTD 5/29/2018; BOB	§
SHELTON, AS TRUSTEE OF	§
BARBARA JEAN BROWN LIVING	§
TRUST DTD 5/29/2018,	§
	§
Defendants.	§

NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION'S MOTION TO DEPOSIT FUNDS IN THE REGISTRY OF THE COURT

Plaintiff, New York Life Insurance and Annuity Corporation ("NYLIAC"), filed an Interpleader Complaint in the above captioned matter [Dkt. #1] to resolve claims to certain death benefits ("Death Benefits") due as a result of the death of Barbara Jean Brown (the "Annuitant") pursuant to Annuity Policy No. XXXXXX189 and XXXXX460 issued by NYLIAC to the Annuitant. NYLIAC does not dispute that the Death Benefits are owed, but under the circumstances, it cannot determine factually or legally who is entitled to the Death Benefits. NYLIAC respectfully files this motion for an Order pursuant to 28 U.S.C. § 1335 and F.R.C.P. Rule 67 to deposit into the registry of the Court: (1) a check in the amount of \$14,058.25 plus applicable interest, representing the death benefit payable under NYLIAC Annuity Policy

Number XXXXX460, by reason of the death of the Annuitant; and (2) a check in the amount of \$33,187.56, plus applicable interest, representing the death benefit payable under NYLIAC Annuity Policy Number XXXXX198, by reason of the death of the Annuitant.

WHEREFORE, Plaintiff, New York Life Insurance and Annuity Corporation, requests that the Court grant this Motion, permit NYLIAC to deposit the Death Benefits payable under the Annuity Policies as a result of the death of Annuitant into the registry of this Court, and grant NYLIAC all other and further relief to which it may be justly entitled.

Respectfully submitted,

/s/ Linda G. Moore

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